

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Case No. 11-20493

Plaintiff,

v.

Honorable John Corbett O'Meara

DONNELL JACKSON,

Defendant.

ORDER GRANTING MOTION TO EXTEND TIME TO FILE APPEAL

This matter came before the court on defendant Donnell Jackson's July 20, 2016 Amended Motion to Extend Time to File Notice of Appeal Due to Excusable Neglect. No response was filed, and no oral argument was heard.

This court appointed the Federal Defender Office to review defendant Jackson's eligibility for a sentence reduction under 18 U.S.C. § 3582(c), and Amendment 782 to the Sentencing Guidelines. On June 21, 2016, this court *sua sponte* granted Jackson a reduction in sentence from 216 months to 210 months.

Jackson's counsel has advised the court that Jackson seeks to file notice of appeal, claiming he is entitled to an additional reduction in his sentence. Jackson's counsel concedes she did not send a copy of the court's order to him in order to allow Jackson to file a timely appeal. Pursuant to Rule 4(b)(4) of the Federal Rules of

Appellate Procedure, the court may extend the time to file notice of appeal based on excusable neglect. The government is not opposed to Jackson's request.

Therefore, it is hereby **ORDERED** that defendant Jackson's July 20, 2016 amended motion to extend time to file an appeal is **GRANTED**.

s/John Corbett O'Meara
United States District Judge

Date: August 23, 2016

I hereby certify that a copy of the foregoing document was served upon the parties of record on this date, August 23, 2016, using the ECF system and/or ordinary mail.

s/William Barkholz
Case Manager